

MAIL DATE CANCELLED  
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PATENT & TRADEMARK OFFICE

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9/01/2006 Rec'd PCT/PTO 30 AUG 2005  
EXPRESS MAIL NO.: EV475141303US

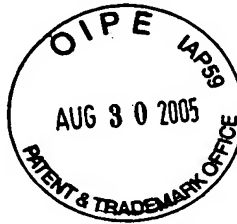
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Muller *et al.*

Serial No.: 10/535,004

Filed: May 11, 2005

For: METHODS OF USING AND  
COMPOSITIONS COMPRISING (+)-  
3-(3,4-DIMETHOXY-PHENYL)-3-(1-  
OXO-1,3-DIHYDRO-ISOINDOL-2-  
YL)-PROPIONAMIDE



Confirmation No.: 9094

Art Unit: To Be Assigned

Examiner: To Be Assigned

Attorney Docket No.: 9516-058-999

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


In response to a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) ("Notification"), mailed August 24, 2005, and in connection with the above-identified application, Applicant submits herewith:

(1) a copy of the Declaration executed by George W. Muller and Roger Shen-Chu Chen.

Late filing fee of \$130 is believed due for this submission. However, if the Patent and Trademark Office determines otherwise, please charge the required fee to Jones Day Deposit Account No. 50 3013. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date August 30, 2005

 (Reg. No.)  
Yeahsil Moon 52,042  
For: Anthony M. Insogna 35,203  
**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, New York 10017  
(212) 326-3939

09/12/2005 GFREY1 00000147 503013 10535004  
01 FC:1617 130.00 DA

Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

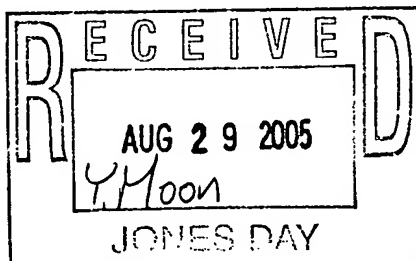
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,004	George W Muller	9516-058-999

INTERNATIONAL APPLICATION NO.
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PCT/US03/36740

I.A. FILING DATE	PRIORITY DATE
11/17/2003	11/18/2002

Jones Day  
 222 East 41st Street  
 New York, NY 10017



CONFIRMATION NO. 9094  
 371 FORMALITIES LETTER  
 \*OC000000016846576\*  
 \*OC000000016846576\*

Date Mailed: 08/24/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/11/2005
- Copy of the International Search Report filed on 05/11/2005
- Copy of IPE Report filed on 05/11/2005
- Request for Immediate Examination filed on 05/11/2005
- U.S. Basic National Fees filed on 05/11/2005
- Specification filed on 05/11/2005
- Claims filed on 05/11/2005

*Oath/Declaration and  
 Fee Due 10/24/05*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$2950** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3080** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 2950**
  - **\$2950** for **85** total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,004	PCT/US03/36740	9516-058-999